



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 041-212, LOWER EAST RIVER

EFFECTIVE 25 OCTOBER 2005

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

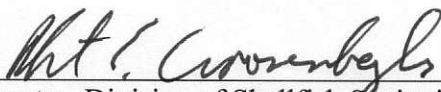
1. The "Notice and Description of Shellfish Area Condemnation Number 041-212, Lower East River," effective 25 July 2005 is cancelled effective 25 October 2005.
2. The shellfish condemnation area Number 041-212, shown as Sections A through L, is established, effective 25 October 2005. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Lower East River, Condemned Shellfish Area Number 041-212, 25 October 2005" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 041-212

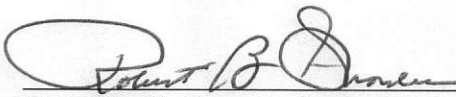
- A. The condemned area shall include all of the unnamed tributary at Williams Wharf lying upstream of latitude/longitude map coordinate (37°24'09.9", -76°20'31.0") and map coordinate (37°24'04.5", -76°20'25.7").
- B. The condemned area shall include all of the unnamed tributary north of Weston Creek lying upstream of latitude/longitude coordinates (37°23'47.6", -76°20'05.1") and map coordinate (37°23'47.3", -76°20'03.8").
- C. The condemned area shall include all of Weston Creek and its tributaries lying upstream of latitude/longitude coordinates (37°23'36.9", -76°19'59.0") and map coordinate (37°23'32.9", -76°19'53.6").

- D. The condemned area shall include all of Tabbs Creek and its tributaries lying upstream of latitude/longitude coordinates (37°23'05.3", -76°19'59.7") and map coordinate (37°22'53.9", -76°19'57.4").
- E. The condemned area shall include all of Whites Creek and its tributaries lying upstream of latitude/longitude coordinates (37°22'24.6", -76°20'56.4") and map coordinate (37°22'27.1", -76°20'56.0").
- F. The condemned area shall include all of the unnamed tributary north of Whites Creek lying upstream of latitude/longitude coordinates (37°22'40.0", -76°20'43.6") and map coordinate (37°22'46.7", -76°20'41.8").
- G. The condemned area shall include all of the unnamed tributary south of Thomas Creek lying upstream of latitude/longitude map coordinate (37°22'59.8", -76°20'42.5") and map coordinate (37°23'03.1", -76°20'41.5").
- H. The condemned area shall include all of Thomas Creek lying upstream of latitude / longitude map coordinate (37°23'20.3", -76°20'31.5") and map coordinate (37°23'33.2", -76°20'36.2").
- I. The condemned area shall include all of Raines Creek and its tributaries lying upstream of latitude/longitude coordinates (37°23'40.9", -76°20'45.3") and map coordinate (37°23'50.8", -76°20'48.3").
- J. The condemned area shall include all of the unnamed tributary south of Miles Creek lying upstream of latitude/longitude map coordinate (37°23'57.2", -76°20'58.3") and map coordinate (37°24'03.7", -76°21'05.3").
- K. The condemned area shall include all of Miles Creek and its tributaries lying upstream of latitude/longitude map coordinate (37°24'10.7", -76°21'08.9") and map coordinate (37°24'13.7", -76°21'08.6").
- L. The condemned area shall include all of the unnamed tributary north of Miles Creek lying upstream of latitude/longitude map coordinate (37°24'22.2", -76°21'04.6") and map coordinate (37°24'24.4", -76°21'05.0").

Recommended by:

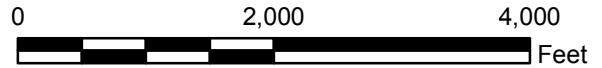

Director, Division of Shellfish Sanitation


Ordered by:


State Health Commissioner

10/12/2005
Date

**Virginia Department of Health
Lower East River
Condemned Shellfish Area Number 041-212
25 October 2005**



 Condemned Shellfish Areas
(Sections A - L)

